

HOUSE BILL No. 1115

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-24.

Synopsis: Gary charter schools. Provides that the mayor of the city of Gary may authorize charter schools. Establishes the Gary charter school board. Makes conforming amendments.

Effective: July 1, 2016.

Brown T, Brown C

January 7, 2016, read first time and referred to Committee on Education.



Second Regular Session of the 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

HOUSE BILL No. 1115

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-24-1-2.5, AS AMENDED BY P.L.221-2015,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]: Sec. 2.5. "Authorizer" means, for a charter school, one
4 (1) of the following:

5 (1) Subject to IC 20-24-2.2-1.2, a governing body.

6 (2) A state educational institution that offers a four (4) year
7 baccalaureate degree.

8 (3) The executive (as defined in IC 36-1-2-5) of a consolidated
9 city.

10 **(4) The executive (as defined in IC 36-1-2-5) of the city of**
11 **Gary.**

12 ~~(4)~~ (5) The charter board.

13 ~~(5)~~ (6) Subject to IC 20-24-2.2-1.2, a governing board of a
14 nonprofit college or university that provides a four (4) year
15 educational program for which it awards a baccalaureate or more
16 advanced degree, including the following:

17 Anderson University



1 Bethel College
 2 Butler University
 3 Calumet College of St. Joseph
 4 DePauw University
 5 Earlham College
 6 Franklin College
 7 Goshen College
 8 Grace College
 9 Hanover College
 10 Holy Cross College
 11 Huntington University
 12 Indiana Tech
 13 Indiana Wesleyan University
 14 Manchester College
 15 Marian University
 16 Martin University
 17 Oakland City University
 18 Rose-Hulman Institute of Technology
 19 Saint Joseph's College
 20 Saint Mary-of-the-Woods College
 21 Saint Mary's College
 22 Taylor University
 23 Trine University
 24 University of Evansville
 25 University of Indianapolis
 26 University of Notre Dame
 27 University of Saint Francis
 28 Valparaiso University
 29 Wabash College.

30 SECTION 2. IC 20-24-2.2-1.2, AS ADDED BY P.L.221-2015,
 31 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2016]: Sec. 1.2. (a) This section applies to an authorizer
 33 described in IC 20-24-1-2.5(1), IC 20-24-1-2.5(2), and
 34 ~~IC 20-24-1-2.5(5)~~ **IC 20-24-1-2.5(6)** if the authorizer has not
 35 previously issued a charter for any charter school prior to July 1, 2015.

36 (b) A governing body of a school corporation may register with the
 37 state board for charter authority within the attendance area of the
 38 school corporation. The state board shall post on the state board's
 39 Internet web site an application received from an authorizer to register
 40 with the state board under this section within ten (10) days after receipt
 41 of the application. The state board may not charge an authorizer a fee
 42 to register with the state board under this section.



(c) A governing board of a nonprofit college or university described in ~~IC 20-24-1-2.5(5)~~ **IC 20-24-1-2.5(6)** may apply to the state board for statewide, regional, or local chartering authority.

(d) The state board shall publicize to all governing bodies the opportunity to register with the state board for chartering authority within their school corporation. Not later than May 1 of each year, the state board shall provide information about the opportunity, including a registration deadline, to all governing bodies. To register as an authorizer, each interested governing body must submit the following information in a format prescribed by the state board:

(1) A written notification of intent to serve as a charter authorizer in accordance with this article.

(2) An explanation of the governing body's strategic vision for chartering.

(3) An explanation of the governing body's budget and personnel capacity and commitment to execute the duties of quality charter authorizing in accordance with this article.

(4) An explanation of how the governing body will solicit charter school applicants in accordance with IC 20-24-3.

(5) A description or outline of the performance framework the governing body will use to guide the establishment of a charter contract and for the oversight and evaluation of charter schools, consistent with this article.

(6) A draft of the governing body's renewal, revocation, and nonrenewal processes, consistent with this article.

(7) A statement of assurance that the governing body commits to serving as a charter authorizer in fulfillment of the expectations, spirit, and intent of this article, and that the governing body will fully adopt standards of quality charter school authorizing in accordance with section 1.5 of this chapter.

(e) Within sixty (60) days of receipt of the information described in subsection (d), the state board shall register the governing body as a charter authorizer within the attendance area of the school corporation and shall provide the governing body a letter confirming the governing body's registration as a charter authorizer. A governing body may not engage in any charter authorizing functions without a current registration as a charter authorizer with the state board.

(f) The state board shall establish an annual application and approval process, including cycles and deadlines during the state fiscal year, for registering an entity described in ~~IC 20-24-1-2.5(5)~~ **IC 20-24-1-2.5(6)** for authorizer authority. Not later than May 1 of each year, the state board shall make available information and



1 guidelines for an applicant described in ~~IC 20-24-1-2.5(5)~~
 2 **IC 20-24-1-2.5(6)** concerning the opportunity to apply for chartering
 3 authority under this article. The application process must require each
 4 applicant to submit an application that clearly explains or presents the
 5 following elements:

6 (1) A written notification of intent to serve as a charter authorizer
 7 in accordance with this article.

8 (2) The applicant's strategic vision for chartering.

9 (3) A plan to support the applicant's strategic vision described in
 10 subdivision (2), including an explanation and evidence of the
 11 applicant's budget and personnel capacity and commitment to
 12 execute the duties of quality charter authorizing in accordance
 13 with this article.

14 (4) A draft or preliminary outline of the request for proposals that
 15 the applicant would, if approved by the state board under this
 16 section, issue to solicit charter school applicants under
 17 IC 20-24-3.

18 (5) A draft of the performance framework that the applicant
 19 would, if approved by the state board under this section, use to
 20 guide the establishment of a charter contract and for ongoing
 21 oversight and evaluation of charter schools consistent with this
 22 article.

23 (6) A draft of the applicant's renewal, revocation, and nonrenewal
 24 processes.

25 (7) A statement of assurance that the applicant commits to serving
 26 as a charter authorizer in fulfillment of the expectations, spirit,
 27 and intent of this article, and that the applicant will fully adopt
 28 standards of quality charter school authorizing in accordance with
 29 section 1.5 of this chapter.

30 (g) Not later than July 1 of each year, the state board shall grant or
 31 deny chartering authority to an applicant under subsection (f). The state
 32 board shall make its decision on the merits of each applicant's proposal
 33 and plans submitted under subsection (f).

34 (h) Within thirty (30) days of the state board's decision under
 35 subsection (g), the state board shall execute a renewable authorizing
 36 contract with an applicant that the state board has approved for
 37 chartering authority. The initial term of each authorizing contract is six
 38 (6) years. The authorizing contract must specify each approved
 39 applicant's agreement to serve as a charter authorizer in accordance
 40 with this article and shall specify additional performance terms based
 41 on the applicant's proposal and plan for chartering. An approved
 42 applicant may not commence charter authorizing without an



authorizing contract in effect.

(i) The state board shall maintain on the state board's Internet web site the names of each authorizer approved by the state board under this section.

SECTION 3. IC 20-24-2.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]:

Chapter 2.5. Gary Charter School Board

Sec. 1. This chapter applies only to an authorizer that is the executive of the city of Gary.

Sec. 2. As used in this chapter, "executive" has the meaning set forth in IC 36-1-2-5(4).

Sec. 3. As used in this chapter, "fiscal body" has the meaning set forth in IC 36-1-2-6(3).

Sec. 4. (a) The Gary charter school board is established.

(b) The Gary charter school board is composed of the following nine (9) members appointed to four (4) year terms:

(1) Six (6) members appointed by the executive.

(2) Three (3) members appointed by the president of the fiscal body for the city of Gary.

(c) The executive shall appoint the chairperson of the Gary charter school board.

(d) A majority of the members appointed to the Gary charter school board constitutes a quorum. The affirmative votes of a majority of the voting members appointed to the Gary charter school board are required for the Gary charter school board to take action.

Sec. 5. The Gary charter school board, with assistance from the executive's office, shall establish a process to:

(1) review a proposal to establish a charter school under IC 20-24-3-4; and

(2) make a decision on the proposal and communicate the Gary charter school board's decision to the executive's office with respect to the Gary charter school board's decision to accept or reject the proposal.

The executive shall notify an organizer of the Gary charter school board's decision as required under IC 20-24-3-9.

Sec. 6. The executive's office shall provide staff to carry out the duties of the Gary charter school board under this chapter.

